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IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE, TWENTIETH JUDICIAL DISTRICT, PART III

CLATA RENEE BREWER, *et al.,*	§	
	§	
Petitioners,	§	
	§	
v.	§	Case No.: 23-0538-III
	§	CONSOLIDATED
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY,	§	
	§	
Respondent,	§	
	§	
PARENTS OF MINOR COVENANT STUDENTS JANE DOE AND JOHN DOE, *et al.*,	§	
	§	
Intervenors.	§	

EMERGENCY MOTION OF MICHAEL PATRICK LEAHY TO SET ASIDE JUNE 10, 2024 *ORDER SETTING SHOW CAUSE HEARING*

I. INTRODUCTION

On June 10, 2024, this Court entered an *Order Setting Show Cause Hearing* instructing Petitioner Michael Patrick Leahy and Star News Digital Media, Inc., to: (1) appear for hearing on June 17, 2024; and (2) show cause why they should not be subject "to contempt proceedings and sanctions." *Id.* at 1–2. With due respect to the Court, this Court's show cause order: (1) violates Tenn. Code Ann. § 24-1-208(a), Tennessee's shield law; (2) contravenes Tennessee's contempt law; (3) deprives Mr. Leahy of minimum due process guarantees; and (4) suffers from other

serious constitutional infirmities. Thus, for the reasons detailed below, this Court's June 10, 2024 *Order Setting Show Cause Hearing* should be set aside.

II. FACTS AND PROCEDURAL HISTORY

On June 10, 2024, this Court issued an *Order Setting Show Cause Hearing* (the "Show Cause Order"). The Court's Show Cause Order recites that: "On Monday, June 10, 2024, this Court received a media call requesting comment or a statement from the Court regarding the Tennessee Star's . . . alleged publication of certain purported documents and information that this Court has in its possession for *in camera* review in this matter." *Id.* at 1. Thus, the Court ordered that it:

> [S]ets a Show Cause hearing to determine why the alleged publication of certain purported documents by Petitioners Star Digital Media and Michael Leahy, as the Editor-in-Chief, does not violate the Orders of this Court subjecting them to contempt proceedings and sanctions. Counsel for all Parties to this matter as well as Petitioner Michael Leahy, in his individual capacity, and a corporate representative of Petitioner, Star News Digital Media, Inc., are hereby **ORDERED** to be present and in person at the Show Cause hearing. This hearing shall take place on **Monday, June 17, 2024 at 11:00 A.M.**

Id. at 2.

The Show Cause Order does not specify or otherwise identify "the Orders of this Court" that it implies may have been violated. *See id.* The Show Cause Order does make clear, however, that it is concerned with acts—specifically, the "publication of certain purported documents and information"—that transpired outside the presence of the Court. *Id.* at 1.

The Court's Show Cause Order separately makes clear that it concerns the publication of documents *outside the judicial record*. That distinction matters, because the only two previous orders that appear even plausibly to be implicated here—the Court's February 13, 2024 *Order Regarding Supplemental Filings and Declarations* and the Court's February 25, 2024 *Clarification Order Regarding Supplemental Filings and Declarations*—neither impose nor purport to impose any restrictions on such external publication.

III. ARGUMENT

A. THE SHOW CAUSE ORDER VIOLATES TENNESSEE'S SHIELD LAW.

Tennessee has enacted a robust media "shield law" that protects reporters from being compelled to reveal any information—or the source of any information—procured for publication or broadcast. In particular, Tenn. Code Ann. § 24-1-208(a) provides that:

> A person engaged in gathering information for publication or broadcast connected with or employed by the news media or press, or who is independently engaged in gathering information for publication or broadcast, shall not be required by a court, a grand jury, the general assembly, or any administrative body, to disclose before the general assembly or any Tennessee court, grand jury, agency, department, or commission any information or the source of any information procured for publication or broadcast.

Id.

The upshot of this right is that Mr. Leahy—who is "[a] person engaged in gathering information for publication or broadcast connected with or employed by the news media or press"—"shall not be required by a court . . . to disclose before . . . any Tennessee court . . . any information

or the source of any information procured for publication or broadcast." *Id.*

Such forbidden disclosure appears to be exactly what is contemplated by this Court's Show Cause Order. *See generally* Show Cause Order. Mr. Leahy cannot lawfully be compelled to participate in a show cause hearing that requires him to disclose "any information or the source of any information procured for publication or broadcast[,]" however. *See* Tenn. Code Ann. § 24-1-208(a). Such compulsion would also seriously undermine freedom of the press and newsgathering generally. *See, e.g., Branzburg v. Hayes,* 408 U.S. 665, 681 (1972) ("without some protection for seeking out the news, freedom of the press could be eviscerated."); *Bursey v. United States*, 466 F.2d 1059, 1083–84 (9th Cir. 1972) ("Freedom of the press was not guaranteed solely to shield persons engaged in newspaper work from unwarranted governmental harassment. The larger purpose was to protect public access to information."); *Baker v. F&F Inv.*, 470 F. 2d 778, 782 (2d Cir. 1972) ("Compelled disclosure of confidential sources unquestionably threatens a journalist's ability to secure information that is made available to him only on a confidential basis…. The deterrent effect [that] such disclosure is likely to have upon future 'undercover' investigative reporting … threatens freedom of the press and the public's need to be informed."). This Court's Show Cause Order should be set aside accordingly.

B. THE SHOW CAUSE ORDER CONTRAVENES TENNESSEE'S CONTEMPT LAW.

Tennessee Rule of Criminal Procedure 42, which governs criminal contempt, once included "show cause" terminology akin to what is

included in the Court's Show Cause Order. In 2014, though, "[t]he reference in Rule 42(b)(2) to 'a show cause order' was deleted[,]" because "requiring an alleged contemner to 'show cause' why he or she should not be held in contempt impermissibly placed the burden of proof on the alleged contemner." *Id.* at 2014 Advisory Comm'n Cmt.

This Court's Show Cause Order reflects exactly that "impermissibl[e]" burden-shifting. *Id.* It orders the Petitioner to appear in person for "a Show Cause hearing to determine why [his behavior] . . . does not violate the Orders of this Court subjecting [him] to contempt proceedings and sanctions." Show Cause Order at 2. Such an order is thus seriously problematic, particularly when the Show Cause Order does not identify the previous orders or provisions within them that the Court believes may have been violated.

This Court's Show Cause Order is out of step with other components of Tennessee's contempt law, too. In Tennessee, "there are two species of contempt, direct and indirect, which differ, among other ways, in the minimal procedures that will satisfy the requirements of due process in the case of each." *State v. Maddux*, 571 S.W.2d 819, 821 (Tenn. 1978). "Direct contempt is based upon acts committed in the presence of the court, and may be punished summarily." *Id.* "Indirect contempt is based upon acts not committed in the presence of the court, and may be punished only after the offender has been given notice, and the opportunity to respond to the charges at a hearing." *Id.* "With respect to these criteria, an act not committed in the presence of the court is treated as indirect contempt even though the act may be admitted by the offender in open court." *Id.* "The procedures governing prosecutions of indirect

criminal contempt, such as this case, are outlined in" Tennessee Rule of Criminal Procedure 42(b). *See Black v. Blount*, 938 S.W.2d 394, 398 (Tenn. 1996).

If contempt is being contemplated here, then this can only be an indirect contempt case. Indirect criminal contempt proceedings may only be "initiated on notice," though. *See* Tenn. R. Crim. P. 42(b). That notice must also "state the essential facts constituting the criminal contempt charged and describe it as such" and "allow the alleged contemner a reasonable time to prepare a defense[.]" *See* Tenn. R. Crim. P. 42(b)(1)(B)–(C). This Court's Show Cause Order falls short of both of these requirements.

First, as noted, the Show Cause Order does not identify the specific orders or provisions within them that it believes may have been violated. *See generally* Show Cause Order. That is no small omission under the circumstances, either. In contempt proceedings, "the order underlying the charge must be clear, specific, and unambiguous." *Lehmann v. Wilson*, No. M2023-00232-COA-R3-CV, 2024 WL 901426, at *3 (Tenn. Ct. App. Mar. 4, 2024). Thus, "[o]rders which form the basis for a contempt charge must 'expressly and precisely' spell out the details of compliance in a way that 'reasonable persons' will know exactly what actions are required or forbidden." *Id.*

Here, there are only two previous orders that appear to the undersigned to be implicated by the Court's Show Cause Order: (1) the Court's February 13, 2024 *Order Regarding Supplemental Filings and Declarations*, and (2) the Court's February 25, 2024 *Clarification Order*

Regarding Supplemental Filings and Declarations. The specific mandates set forth in those orders are as follows:

> 1. Any supplemental filings, declarations, and/or affidavits filed by the Parties and/or Amici or sought to be filed by the Parties and/or Amici containing any direct information, no matter how obtained, which is the subject matter of this case **SHALL NOT** be filed with the Court but **SHALL BE** submitted for *in camera* review following the procedures delineated in this case.[1]
>
> 2. Any supplemental filings, declarations, and/or affidavits filed with the Clerk & Master on Tuesday, February 12, 2024, containing information, no matter how obtained, which is the subject matter of this case, shall not be made part of the record and shall be submitted to this Court for *in camera review*.[2]
>
> 3. No copies of any leaked document shall be filed into the record of the Court.[3]
>
> 4. No party shall directly quote or reproduce the contents of any such document in its briefing or argument.[4]

The conduct detailed in the Court's Show Cause Order does not plausibly violate any of these previous mandates. *Cf. Konvalinka v. Chattanooga-Hamilton Cnty. Hosp. Auth.*, 249 S.W.3d 346, 356 (Tenn. 2008) (orders alleged to have been violated must "leave no reasonable basis for doubt regarding their meaning" and "should be interpreted in favor of the person facing the contempt charge."); *Blankenship CPA Grp.,*

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[1] Feb. 13, 2024 *Order Regarding Supplemental Filings and Declaration* at 1.
[2] *Id.* at 1–2.
[3] Feb. 25, 2024 *Clarification Order Regarding Supplemental Filings and Declarations* at 2.
[4] *Id.*

PLLC v. Wallick, No. M2022-00359-COA-R3-CV, 2023 WL 6420443, at *4 (Tenn. Ct. App. Oct. 3, 2023) ("This language is clear and specific. It does not enjoin all acts of harassment. It only prohibits acts of harassment directed toward or against the Firm and the others specifically listed."). In particular, the externally published materials were not—and they did not purport to be—"supplemental filings, declarations, and/or affidavits filed by the Parties and/or Amici or sought to be filed by the Parties and/or Amici . . . ." *See Order Regarding Supplemental Filings and Declarations* (Feb. 13, 2024), at 1. The externally published materials also were not—and they did not purport to be—"[a]ny supplemental filings, declarations, and/or affidavits filed with the Clerk & Master on Tuesday, February 12, 2024 . . . ." *Id.* Nor were the externally published materials "filed into the record of the Court." Feb. 25, 2024 *Clarification Order Regarding Supplemental Filings and Declarations* at 2. The externally published materials were not "quote[d] or reproduce[d] . . . in [Mr. Leahy's] briefing or argument," either. *Id.*

Given these circumstances, Mr. Leahy is left to guess what he is accused of doing that this Court believes may subject him "to contempt proceedings and sanctions." *See* Show Cause Order at 2. That uncertainty deprives Mr. Leahy of the fair notice that Tenn. R. Crim. P. 42(b)(1)(C) contemplates. Mr. Leahy accordingly objects to the Court's Show Cause Order and respectfully moves the Court to set it aside.

<u>Second</u>, to the extent that Mr. Leahy is being treated as an alleged contemnor, he is entitled to "a reasonable time to prepare a defense[.]"

See Tenn. R. Crim. P. 42(b)(1)(B). Affording Mr. Leahy just seven days to prepare for an evidentiary show cause hearing—particularly when the underlying orders that Mr. Leahy is suspected of violating have not been specified—is not reasonable, though. Accordingly, Mr. Leahy registers his objection and asks that the order be set aside.

C. THE SHOW CAUSE ORDER DEPRIVES MR. LEAHY OF MINIMUM DUE PROCESS GUARANTEES.

"Two of the essential requirements of due process are pre-deprivation notice and an opportunity to be heard." *Thompson v. Memphis City Sch. Bd. of Educ.*, 395 S.W.3d 616, 627 (Tenn. 2012). By failing to identify the previous orders—or the provisions within them—that this Court believes Mr. Leahy may have violated, though, this Court's Show Cause Order does not afford Mr. Leahy meaningful notice of the concerns that he is being ordered to address. As detailed above, because the conduct described in the Court's Show Cause Order does not plausibly violate any mandate in the Court's February 13, 2024 *Order Regarding Supplemental Filings and Declarations* or the Court's February 25, 2024 *Clarification Order Regarding Supplemental Filings and Declarations*, Mr. Leahy and his counsel are also unable to prepare meaningfully for the Court's show cause hearing without receiving further clarity about the orders that Mr. Leahy is being accused of violating.

Because it appears clear—at least in the Court's view—that Mr. Leahy is at risk of being subjected "to contempt proceedings," *see* Show Cause Order at 2, Mr. Leahy also *cannot* safely participate in a show cause hearing. Because he does not know the orders he is being accused

of violating, anything he says risks incriminating him with respect to future-but-as-yet-unknown contempt charges based on unidentified provisions of unidentified orders. As a result, Mr. Leahy's counsel will advise him to exercise his right not to testify at the Court's show cause hearing, and this Court cannot lawfully compel him to do so. *See* U.S. Const. amend. V ("No person . . . shall be compelled in any criminal case to be a witness against himself").

Simply put: Mr. Leahy cannot risk responding to this Court's inquiries when he has not received pre-hearing notice of the specific provisions of the specific orders that the Court suspects he may have violated. Under these circumstances, Mr. Leahy respectfully objects to the Court's order compelling him to appear and show cause why he should not be subject to contempt proceedings. Accordingly, Mr. Leahy moves this Court to set aside its Show Cause Order on the basis that it contravenes minimum due process guarantees.

D. THE SHOW CAUSE ORDER IMPLIES SERIOUS CONSTITUTIONAL INFIRMITIES.

"Ordinarily if a court issues an injunction, the parties enjoined must obey it, even if they believe the statute on which the injunction was based is unconstitutional. This is called the Collateral Bar Rule." *See Tennessee Dep't of Health v. Boyle*, No. M2001-01738-COA-R3-CV, 2002 WL 31840685, at *8 (Tenn. Ct. App. Dec. 19, 2002) (citing *Howat v. Kansas*, 258 U.S. 181 (1922)). "This rule, however, does not apply to civil contempt" under Tennessee law. *Id.*

Because, as already noted, the Court's Show Cause Order does not specify or otherwise identify "the Orders of this Court" that it implies

may have been violated, it is not clear to Mr. Leahy or his counsel what actions this Court believes may merit "contempt proceedings and sanctions." *See* Show Cause Order at 2. It *is* clear, though, that the Show Cause Order arises from this Court's concerns about the "alleged publication of certain purported documents and information that this Court has in its possession for *in camera* review in this matter." *Id.* at 1. The strong implication from this statement is that the Court believes an earlier order entered in this case restricted Mr. Leahy—a reporter—from publishing lawfully obtained documents to his readership.

None of this Court's earlier orders appears—at least to the undersigned—to contemplate such a drastic restriction. If this Court interprets one of its earlier orders that way, though, then the order is a prior restraint that suffers from serious constitutional infirmities and is presumptively unconstitutional. *See Malone v. Rose*, No. M2023-01453-COA-WR-CV, 2024 WL 1281109, at *4 (Tenn. Ct. App. Mar. 26, 2024) ("'An impermissible 'prior restraint' exists when the exercise of First Amendment rights depends upon prior approval of public officials. . . . A system creating prior restraints bears a heavy presumption against its constitutional validity.'") (quoting *In re Conservatorship of Turner*, No. M2013-01665-COA-R3-CV, 2014 WL 1901115, at *8 (Tenn. Ct. App. May 9, 2014), *no appl. perm. appeal filed*).

"[P]rior restraints on speech and publication are the most serious and the least tolerable infringement on First Amendment rights." *Neb. Press Ass'n v. Stuart*, 427 U.S. 539, 559 (1976). As a result, they are presumptively invalid. *See Bantam Books, Inc. v. Sullivan*, 372 U.S. 58,

70 (1963) ("Any system of prior restraints of expression comes to this Court bearing a heavy presumption against its constitutional validity.") (collecting cases); *see also Int'l Outdoor, Inc. v. City of Troy, Michigan*, 974 F.3d 690, 697 (6th Cir. 2020) ("'Prior restraints are presumptively invalid . . . .'") (cleaned up). "[C]ourt orders that actually forbid speech activities [] are classic examples of prior restraints." *Alexander v. United States*, 509 U.S. 544, 550 (1993). Tennessee law, for its part, separately guarantees citizens "arguably an absolute right . . . to make public whatever he may choose." *See State v. Marshall*, 859 S.W.2d 289, 293 (Tenn. 1993) ("'Thus we see that under our Constitutions there are two distinct elements to the right to freedom of expression. The first, arguably an absolute right, guarantees to each citizen the freedom to make public whatever he may choose. The prohibition against the prior restraint of publication serves to protect the sanctity of this right.'" (quoting *Long v. 130 Mkt. St. Gift & Novelty of Johnstown*, 294 Pa. Super. 383, 399, 440 A.2d 517, 525 (1982)).

Given this context, any prior restraint order "bear[s] a heavy presumption against its constitutional validity[,]" *Bantam Books, Inc.*, 372 U.S. at 70, and must be able to withstand "the heavy burden" of First Amendment scrutiny. *See, e.g., Shak v. Shak*, 484 Mass. 658, 663, 144 N.E.3d 274, 279 (2020) ("as important as it is to protect a child from the emotional and psychological harm that might follow from one parent's use of vulgar or disparaging words about the other, merely reciting that interest is not enough to satisfy the heavy burden of justifying a prior restraint."). In particular, to impose a prior restraint against pure

speech, a "publication must threaten an interest more fundamental than the First Amendment itself. Indeed, the Supreme Court has never upheld a prior restraint, even faced with the competing interest of national security or the Sixth Amendment right to a fair trial." *See Procter & Gamble Co. v. Bankers Tr. Co.*, 78 F.3d 219, 227 (6th Cir. 1996); *see also New York Times Co. v. United States*, 403 U.S. 713, 714 (1971).

"[S]tate action to punish the publication of truthful information seldom can satisfy constitutional standards." *Smith v. Daily Mail Pub. Co.*, 443 U.S. 97, 102 (1979). Further, because "[t]he collateral bar rule is at odds with the doctrine of prior restraint[,]" *see* Christine Hasiotis, *Constitutional Law-Transparently Invalid Order Exception to the Collateral Bar Rule Under the First Amendment in the Federal Courts-in Re Providence Journal Company*, 809 F.2d 63 (1st Cir. 1986), 21 SUFFOLK U. L. REV. 265, 265 n.1 (1987), "numerous courts have held that a party should not be held in contempt for violating an order that violates the First Amendment." *See Crucians in Focus, Inc. v. VI 4D, LLLP*, 57 V.I. 529, 538 (2012). Based on guidance from *Walker v. City of Birmingham*, 388 U.S. 307, 315 (1967)—in which the U.S. Supreme Court emphasized that "this is not a case where the injunction was transparently invalid or had only a frivolous pretense to validity[,]" *see id.*—a host of jurisdictions have also embraced "the longstanding rule that one imprisoned for disregarding a court order restraining speech may challenge the underlying restraint as void[.]" *See Ex parte Tucci*, 859 S.W.2d 1, 2 (Tex. 1993); *City of Seattle v. May*, 171 Wash. 2d 847, 852, n.4, 256 P.3d 1161 (2011) ("In the context of orders amounting to prior restraints on speech,

we have also recognized an exception for orders that are 'patently invalid.'") (citing *State ex rel. Superior Court v. Sperry*, 79 Wash.2d 69, 74, 483 P.2d 608 (1971); *State v. Coe*, 101 Wash.2d 364, 372, 679 P.2d 353 (1984)); *People v. Gonzalez*, 12 Cal. 4th 804, 818, 910 P.2d 1366 (1996) ("out of a concern to protect the constitutional rights of those affected by invalid injunctive orders, and to avoid forcing citizens to obey void injunctive orders on pain of punishment for contempt, this court has firmly established that a person subject to a court's injunction may elect whether to challenge the constitutional validity of the injunction when it is issued, or to reserve that claim until a violation of the injunction is charged as a contempt of court."); *Wood v. Goodson*, 253 Ark. 196, 203, 485 S.W.2d 213 (1972) (vacating contempt conviction arising from unconstitutional prior restraint because "a judgment entered without jurisdiction of the person or the subject matter or in excess of the court's power is void and may be collaterally impeached."); *Phoenix Newspapers, Inc. v. Superior Ct. In & For Maricopa Cnty.*, 101 Ariz. 257, 259–60, 418 P.2d 594 (1966) ("If, however, the act complained of as contemptuous is the violation of an order, decree, or judgment, and the contemnor can show that the order, decree, or judgment of the court was without jurisdiction or void for some other reason, he may not be held in contempt. . . ."); *State v. Erpelding*, 292 Neb. 351, 368, 874 N.W.2d 265 (2015) ("We recognize an exception to the collateral bar rule may exist where a defendant's constitutional rights are at risk[.]"); *Reynolds v. Alabama Dep't of Transp.*, No. 85-CV-665-MHT, 2012 WL 13014728, at *3 (M.D. Ala. June 25, 2012) ("There are four recognized exceptions to

the collateral bar rule in the eleventh circuit. . . . [I]f the challenged order requires an 'irretrievable surrender [of a] constitutional guarantee' then the order may be violated without contempt consequences.") (quoting *In re Novak*, 932 F.2d 1397, 1402 (11th Cir. 1991)); *see also In re Novak*, 932 F.2d at 1401 ("There are situations, however, where the collateral bar rule is inapplicable. . . . the order must not require an irretrievable surrender of constitutional guarantees.")).

Here, if this Court believes it has entered a prior restraint order that Mr. Leahy may have violated by publishing lawfully obtained documents to his readership, then Mr. Leahy is entitled to challenge the constitutionality of the order before being subject to contempt. *See Gider v. Hubbell*, No. M2016-00838-COA-R3-JV, 2017 WL 1536475, at *4–5 (Tenn. Ct. App. Apr. 27, 2017) (allowing litigant to contest the constitutionality of a prior restraint after being charged with civil contempt for violating it); *see also Defiance of Unlawful Authority*, 83 HARV. L. REV. 626, 634–35 (1970) ("refusing to hear collateral attacks may, by seeming to sanction judicial lawlessness, work against the societal interest in fostering respect for judicial processes."). The reason why is straightforward: to sustain a contempt charge, Tennessee law requires that an order be "lawful." *Konvalinka*, 249 S.W.3d at 355. Under Tennessee law, though, unconstitutional actions are treated as having been taken *without* authority. *See Colonial Pipeline Co. v. Morgan*, 263 S.W.3d 827, 850 (Tenn. 2008) ("[A]n officer acting pursuant to an unconstitutional statute does not act under the authority of the state[.] . . . [T]he power of the State is limited by the state and federal

constitutions."); *State v. King*, No. 01C01-9608-CR-00343, 1997 WL 576490, at *2 (Tenn. Crim. App. Sept. 18, 1997) ("In this jurisdiction, an unconstitutional statute or an amendment to a constitutional statute is void *ab initio*-from the date of its enactment."); *State v. Woodard*, No. E2016-00676-CCA-R3-CD, 2017 WL 2590216, at *9 (Tenn. Crim. App. June 15, 2017) ("as our supreme court has repeatedly recognized, a criminal statute that is unconstitutional on its face is 'void from the date of its enactment' and cannot, therefore, provide the basis for a 'valid conviction.'") (cleaned up) (collecting cases). An unconstitutional prior restraint order cannot be considered "lawful" for contempt purposes as a result. *Id.*

For all of these reasons, if this Court believes that Mr. Leahy has violated an earlier prior restraint order, then Mr. Leahy is entitled to challenge the constitutionality of the order before being subject to contempt.

IV. CONCLUSION

For the foregoing reasons, this Court's June 10, 2024 *Order Setting Show Cause Hearing* should be set aside.

Respectfully submitted,

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V. REQUEST FOR EMERGENCY ADJUDICATION

Based on the deadlines set forth in the Court's Show Cause Order, this motion cannot be adjudicated in compliance with Local Rule 26.03's fourteen-day minimum notice requirements. Accordingly, pursuant to Local Rule 26.11(a), the movant respectfully asks this Court to adjudicate this motion immediately without oral argument.

The movant additionally informs the Court that he intends to seek emergency relief from the Tennessee Court of Appeals at 12:00 p.m. CST on June 13, 2024, if he has not first received relief here. Accordingly, the movant respectfully requests a ruling by or before 12:00 p.m. CST on June 13, 2024.

CERTIFICATE OF SERVICE

I hereby certify that on this the 12th day of June, 2024, a copy of the foregoing was delivered via USPS Certified Mail, postage prepaid, via email, and/or through the Court's e-filing system upon the following:

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